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March 8, 2013

Hon. Paul A. Engelmayer
United States District Judge
Southern District of New York
United States Courthouse
500 Pearl Street
New York, New York 10007

Re: **United States v. Carlonell Paulino, 11 Cr. 1032 (PAE)**

Dear Judge Engelmayer:

We represent defendant Carlonell Paulino, who is scheduled to be sentenced by Your Honor on March 22, 2013. This letter is respectfully submitted on behalf of Mr. Paulino to assist the Court in determining the sentence that is sufficient, but not greater than necessary, to meet the directives set forth in 18 U.S.C. Section 3553(a).

A. Mr. Paulino's Background

Mr. Paulino is 21 years old. Mr. Paulino was born in the Dominican Republic where he was primarily raised by his maternal grandmother. He is the youngest of five children; Mr. Paulino has one older brother, Carlos, and three older half-siblings from his father's side. When Mr. Paulino was very young, his parents immigrated to the United States in order to obtain higher-paying jobs so that they could better provide for their family. In 2000, when he was eight years old, Mr. Paulino immigrated to the United States to live with his parents; his siblings followed soon thereafter.

After migrating to the United States, Mr. Paulino lived with his parents and his older brother, Carlos, in a two-bedroom apartment in the Bronx. When Mr. Paulino arrived in the United States, he spoke no English; he learned English through school and video tapes, which his father bought for him. Mr. Paulino was raised under lower class circumstances. His father contributed to the household through his employment as a livery cab driver. Mr. Paulino's mother worked in a factory that manufactured jewelry settings. Mr. Paulino was often cared for by his aunt after school until one of his parents were finished with work and could pick up him and his brother. Mr. Paulino's parents were never married, and in 2003, the couple separated, and Mr. Paulino's father moved out of the family home. Thereafter, Mr. Paulino lived with his mother and brother, although Mr. Paulino's father continued to provide emotional and financial support. Since his arrest and incarceration, Mr. Paulino's family has remained emotionally supportive of Mr. Paulino.

In the attached letters, Mr. Paulino's friends and family describe him as a "good," "friendly," "intelligent," "caring," and "respectful" individual, who is always willing to lend a helping hand.¹ Nelly Beato, Mr. Paulino's mother, describes her son as "very helpful and kind; always concerned for the fellow man and always willing to help whoever needs help." Letter from Nelly Beato, dated January 8, 2013 (annexed hereto as Exhibit A). In her letter to the Court, Ms. Beato describes how Mr. Paulino cared for her whenever she was sick. When she had surgery several years ago, it was Mr. Paulino who cared for her and nursed her back to health: "He cooked for me, spoon fed me, bathed me and during all the months I was bedridden he was there for me." *Id.* In his letter to the Court, Rafael Esteva, a childhood friend, remembers Mr. Paulino as "a good person who cares a lot about others and who does what he can to help out his

¹ Some of the letters submitted in support of Mr. Paulino are written in Spanish. Along with the original version of those letters, we have attached English translations.

friends and family whenever needed.” Letter from Rafael Esteva, dated January 6, 2013 (annexed hereto as Exhibit B). Shaquille Suero, who also grew up with Mr. Paulino, describes how Mr. Paulino filled the void of his absentee father, providing him with emotional support and helping him with his homework: “I would ask for help at . . . times whatever it was he was there!” Letter from Shaquille Suero, dated December 28, 2012 (annexed hereto as Exhibit C). Alexander Saint-Hilaire, a former classmate, writes that Mr. Paulino “has always been the type of person that wants to do good” Letter from Alexander Saint-Hilaire (annexed hereto as Exhibit D). Mr. Paulino’s brother, Carlos Paulino, writes that during his free time Mr. Paulino “would take the time to help some of his classmates with their English because they would not understand their homework because of language barrier.” Letter from Carlos Paulino (annexed hereto as Exhibit E). Carlos Paulino describes his brother as the type of person never to say “no.” *Id.* Mr. Suero echoes this sentiment when he describes Mr. Paulino as the “type of young man that if he only had a dollar on him you best believe that four of his surrounding . . . family or friends in that particular moment . . . “[f]our of them would receive each a quarter.” Letter from Shaquille Suero (annexed hereto as Exhibit C). In addition to caring about the people in his life, Mr. Paulino is an animal lover, as described by Mr. Paulino’s brother. At one point, Mr. Paulino owned and cared for nine dogs himself.

In high school, Mr. Paulino excelled as a student and an athlete. Mr. Paulino received high marks in school up until his senior year when his grades started to decline. Mr. Paulino graduated from Marble Hill High School for International Studies in 2009. As a child, Mr. Paulino played for the Rolando Paulino Little League, and he later played varsity baseball for John F. Kennedy High School, which was affiliated and shared a campus with his high school. Mr. Paulino also was a member of the John F. Kennedy High School gymnastics team.

Although he dreamed of joining the marines after high school, Mr. Paulino ultimately abandoned that dream, relenting to the concerns of his family and friends who feared for his life if he were deployed to a combat zone. José Luis Pimentel, Mr. Paulino's friend since sixth grade, describes how Mr. Paulino "had plans for the future, he was going to be a baseball player or join the Army to be able to pull his family through." Letter from José Luis Pimentel, dated January 6, 2013 (annexed hereto as Exhibit F). However, after his graduation from high school, Mr. Paulino found himself without a concrete goal or plan.

After high school, Mr. Paulino enrolled in Bronx Community College, but he left college after only one semester. From 2009 through 2011, Mr. Paulino was employed sporadically at Nuevo Dimension Barber Shop on Webster Avenue in the Bronx, where he worked his way up from apprentice to barber.

It was during this time-period that Mr. Paulino's life took an unfortunate turn, and he became involved in the conduct that brings him before Your Honor. Mr. Paulino began smoking marijuana when he was just 15 years old. By the time he was 18 years old, around the same time he was inducted into the Trinitarios gang, Mr. Paulino was smoking marijuana as much as fifteen times per day. His drug use, along with his lack of direction in life, led him to join the Trinitarios, many of whose members Mr. Paulino has known since high school. In the words of Ms. Beato, Mr. Paulino's mother, "He is not a bad boy; he is a boy that made the mistake of following leaders with bad habits and bad thoughts." Letter from Nelly Beato (annexed hereto as Exhibit A).

Despite the criminal conduct at issue in this case, for which he promptly took responsibility after his arrest, Mr. Paulino is a dynamic, articulate young man with the potential to contribute positively to society.

B. Mr. Paulino's Arrest, Indictment and Guilty Plea

Mr. Paulino was arrested in December 2011, pursuant to an indictment that charged him with (i) conspiring to commit racketeering, in violation of 18 U.S.C. Section 1962(d), (ii) conspiring to distribute various controlled substances, in violation of 21 U.S.C. Section 846, and (iii) aiding and abetting the use, carrying, and possession of firearms discharged in furtherance of the conspiracy, in violation of 18 U.S.C. Section 924(c)(1)(A)(iii). Mr. Paulino has accepted responsibility for his actions. On October 23, 2013, he pleaded guilty before Your Honor to one count of racketeering conspiring in violation of 18 U.S.C. Section 1962(d), and one count of conspiracy to distribute marijuana in violation of 21 U.S.C. Section 841(b)(1)(C).

Mr. Paulino appreciates the seriousness of his actions and his role in the charged conspiracies. He is particularly remorseful for the injury he caused the victims of his violent acts. Mr. Paulino was a low-level "soldier" in the Trinitarios gang; he never held any leadership position within the organization. Accordingly, we respectfully submit that a sentence at the lowest end of the stipulated guidelines range, which is 78 months, more than adequately reflects the seriousness of the offense, promotes respect for the law, provides just punishment for the offense, adequately deters future similar conduct, and serves to protect the public from further crimes being committed by Mr. Paulino. 18 U.S.C. § 3553(a)(2).


Mr. Paulino deeply regrets his actions and intends to make a concerted effort to improve himself in order to lead a productive life in the future. Illustrative of that intent, while he has been housed in the MCC, Mr. Paulino has completed a drug abuse education course. We have attached the certificate of completion for that course. Certificate of Achievement in Drug Education, dated December 6, 2012 (annexed hereto as Exhibit H). Mr. Paulino also works as an orderly at the MCC. Moreover, he has expressed his desire, once he is designated to a Bureau of Prisons facility, to take courses in business management in order to better prepare to re-enter

society when he is released. Mr. Paulino hopes to one day own his own barber shop or dog kennel.

Conclusion

For all of the foregoing reasons, we respectfully ask the Court to impose the least severe sentence possible in light of the Section 3553(a) factors, which the Court should consider in the interest of justice. In addition, we ask that the Court recommend that the Bureau of Prisons house Mr. Paulino in a facility close to the Bronx so that he can maintain contact with his family.

Respectfully submitted,



Sharon L. McCarthy
Juliet L. Fink

cc: AUSA Sarah R. Krissoff
Probation Officer Robert Flemen